

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MATTHEW MIGLIORE, on behalf of himself and other individuals similarly situated,

Plaintiff,

Civil Action No.:
20-cv-3671-GRB-ARL

v.

HOFSTRA UNIVERSITY - MAURICE A. DEANE SCHOOL OF LAW; and other affiliated entities and individuals,

Defendant.

GABRIEL STELLATO, HANNAH BUCKLEY,
REBEKAH COHEN, IMANI SCHULTERS,
MIAH LATVALA, and MIKAYLA FALLON,
individually and on behalf of all others similarly situated,

Civil Action No.
2:20-cv-0199-GRB-ARL

Plaintiffs,

v.

HOFSTRA UNIVERSITY,

Defendant.

**NOTICE OF MOTION TO DISMISS AND FOR JUDGMENT ON THE PLEADINGS
PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(B)(6) AND 12(C)**

PLEASE TAKE NOTICE that, with respect to the action captioned *Migliore v. Hofstra University – Maurice A. Dean School of Law*, 2:20-cv-3671-GRB-ARL (the “*Migliore Action*”), for the reasons set forth in the Memorandum of Law in Support of Defendant’s Motion Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(c), and the argument that was heard during a pre-motion conference held on June 9, 2021 (ECF Doc. No. 26), Defendant Hofstra University now moves this Court before the Hon. Gary R. Brown, United States District Court Judge, at 100 Federal

Plaza, Central Islip, New York 11722-9014 for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing Plaintiff's Second Amended Complaint (ECF Doc. No. 21) it its entirety.

PLEASE TAKE FURTHER NOTICE that, with respect to the action captioned *Stellato, et al. v. Hofstra University*, 2:20-cv-0199-GRB-ARL (the "Stellato Action"), for the reasons set forth in Defendant's Answer, with Exhibits A – O (ECF Doc. No. 18), the Memorandum of Law in Support of Defendant's Motion Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(c), and the argument that was heard during a pre-motion conference held on June 9, 2021 (docketed in the *Migliore Action* as ECF Doc. 26), Defendant Hofstra University now moves this Court before the Hon. Gary R. Brown, United States District Court Judge, at 100 Federal Plaza, Central Islip, New York 11722-9014 for an Order pursuant to Federal Rule of Civil Procedure 12(c) dismissing Plaintiffs' Amended Complaint (ECF Doc. No. 17) it its entirety.

Pursuant to the Court's Minute Entry and Order dated July 3, 2021 (docketed in the *Migliore Action*), Plaintiffs' opposition in the *Migliore Action* and in the *Stellato Action* shall be served on or before September 9, 2021. Defendant intends to file and serve reply papers on or before September 23, 2021. Pursuant to the Court's Individual Rules, Defendant will file the fully briefed motion at the time of Defendant's Reply.

Dated: July 26, 2021

BOND, SCHOENECK & KING, PLLC

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